

MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

CR- 00-00017

December 7, 2006
1:30 p.m.

U.S.A. -v- JOAQUIN DELA CRUZ CANGCO

PRESENT: HON. ALEX R. MUNSON, JUDGE PRESIDING
K. LYNN LEMIEUX, COURTROOM DEPUTY
SANAE N. SHMULL, COURT REPORTER
TIM MORAN, ASSISTANT U.S. ATTORNEY
JOAQUIN DELA CRUZ CANGCO, DEFENDANT
DOUGLAS CUSHNIE, ATTORNEY FOR DEFENDANT

PROCEEDINGS: VIOLATION HEARING

Defendant **JOAQUIN DELA CRUZ CANGCO** appeared with counsel, Attorney Douglas Cushnie. Government was represented by Tim Moran, AUSA. Also present was Margarita Wonenberg, U.S. Probation Officer.

Court enquired as to whether the Defendant admitted or denied all allegations. Defense replied that he did admit to the violation. Government stated that they adopted the proposed petition of the U.S. Probation Office.

Attorney Cushnie moved for continued supervised release and no jail term. Government moved for a term of imprisonment and/or continued term of supervised release.

Defendant made a statement to the Court stating that he had no intention of hurting his family and he only wanted the police to take him away from the house because he might harm his family because he was intoxicated.

It is the judgment of the Court that Joaquin Dela Cruz Cancgo's term of supervised release is revoked, pursuant to 18 U.S.C. § 3583(e) and U.S.S.G. § 7B1.3(a)(2), and a term of one day imprisonment in the custody of the Federal Bureau of Prisons is imposed in this case. Following release from imprisonment, the defendant shall submit to a term of supervised release for two years. The term of supervised release will commence immediately and require that the defendant comply with the following conditions:

1. That the defendant shall not commit another federal, state, or local crime;
2. That the defendant shall comply with the standard conditions of supervised release as adopted by this Court;
3. That the defendant shall not possess a firearm or other dangerous weapon;
4. That the defendant shall refrain from any unlawful use of a controlled substance, and shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed eight tests per month, as directed by the probation officer;
5. That the defendant shall participate in a substance abuse program; an anger management program and a program for psychological counseling approved by the U.S. Probation Office. The substance abuse program shall be for the treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse. The defendant shall also make a co-payment for treatment at a rate to be determined by the U.S. Probation Office;
6. That the defendant shall refrain from any use of alcohol and shall submit to breathalyser testing as directed by the U.S. Probation Office;
7. That the defendant shall obtain and maintain gainful employment. He shall report to the U.S. Probation Office every week on his attempts to find a job.

Defendant was advised to turn himself in to the U.S. Marshal at 9:00 a.m. on Monday, December 11, 2006 to serve his one day sentence.

Adjourned at 2:00 p.m.

/s/ K. Lynn Lemieux, Courtroom Deputy